

Lekha Gopalakrishnan (214) 965-7364 lgopalakrishnan@jenkens.com

## Jenkens & Gilchrist

1445 ROSS AVENUE SUITE 3200 DALLAS, TEXAS 75202

(214) 855-4500 / TELECOPIER (214) 855-4300

www.jenkens.com

AUSTIN, TEXA (512) 499-3800

HOUSTON TEXAS

LOS ANGELES, GALIFORNIA (310) 820-8800

SAN ANTONIO, TEXAS (210) 246-5000

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CERTIFICATE OF MAILING

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on May 2002

Signature

Re:

Applicant(s):

BALKUS, et al.

Serial No.

10/079,443

Filing Date:

February 19, 2002

For:

MESOPOROUS COMPOSITIONS FOR USE IN DRUG DELIVER

Docket No.: 46847-00007USPT

1700

Dear Sir:

Transmitted for filing with the Patent and Trademark Office are the following documents for the above-referenced patent application:

1. Information Disclosure Statement

2. Form PTO-1449

3. References A1 and C1-C2

4. Postcard acknowledgment

Please address all communications related to this to:

Brian D. Walker Jenkens & Gilchrist, P.C. 1445 Ross Avenue, Suite 3200 Dallas, Texas 75202-2799

In the event there is an under or over payment, please debit or credit our Deposit Account #10-0447. This letter is being filed in duplicate to facilitate processing.

Respectfully submitted,

Lekha Gopalakrishnan

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

pplicant(s): BALKUS, et al.

Group Art Unit: Not Yet Assigned

Serial No.:

10/079,443

Examiner: Not Yet Assigned

Filed:

February 19, 2002

For:

MESOPOROUS COMPOSITIONS FOR USE IN DRUG DELIVERY

To the Assistant Commissioner for Patents Washington, D.C. 20231

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May 22, 2003

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Dear Sir:

## INFORMATION DISCLOSURE STATEMENT

In accordance with Applicant's duty under 37 C.F.R. § 1.56 and 1.97, Applicant hereby submits the attached form PTO-1449 (modified) which lists art cited. The art listed therein, while of some relevance, is not necessarily considered to teach or suggest any aspect of the invention described and claimed in the above-identified patent application. This statement is also not to be construed as a representation that a search has, or has not, been conducted or that no better art exists. Rather, this statement discloses only the best art of which the Applicant is aware.

In considering the art set forth below, it may be noted by the Examiner that certain of the references may contain markings, underlinings or other notations. These markings or notations are not to be construed as drawing the Examiner's attention either to selected parts or away from other parts of the references. Any such markings were either present on the copies of the references

obtained by Applicant, or were made thereon during the study of the references by the Applicant and/or his attorneys.

The Examiner is respectfully requested to consider each of the cited references, indicate such consideration by initialing each reference on the enclosed Form PTO-1449 (modified) and return a copy of the same with the next communication to the Applicant. For the convenience of the Examiner in considering the references, copies of the cited references are enclosed with this communication.

Respectfully submitted,

Lekha Gopalakrishnan

Reg. No. 46,733

Jenkens & Gilchrist, P.C. 1445 Ross Avenue, Suite 3200 Dallas, Texas 75202-2799 214/855-7364 (Direct) 214/855-4300 (Fax)

Form PTO-1449 Modified  List of Patents and Publications  Cited by Applicant  (Use several sheets if necessing)				Docket No.: 46847-00007USPT	Serial No.: 10/079,443		
				Applicants: BALKUS, et al.			
(Use several sheets if necessity)  U.S. Patent Department of Commerce  Patent and Trademark Office				Filing Date: February 19, 2002	Group:		
			u.s. patent do	CUMENTS			
Examiner Initial		Document No.	Date	Name	Class	Subclass	
	A-1	5,234,695	Aug. 10, 1993	Kresge et al.	423 <u>H</u>	328	
	A-2				A\$010NH\$3L		
	A-3		e e e		H30 X8		
		FOI	REIGN PATENT	DOCUMENTS	ER 1.	3 0	
Examiner Initial		Document No.	Date	Country	Tra	Translation	
H II I I I I I I I I I I I I I I I I I	B-1			ORIGINAL ORIGINA ORIGI	Yes	No	
Initial Document No. Date Country Translation  Yes No  OTHER DOCUMENTS							
Examiner Initials		Auth	or, Title, Date, Pe	rtinent Pages, Etc.			
	C-1	Beck et. al., J. Am Chem. Soc., 114, 10834-10843 (1992)					
C-2 Zhao et. al., SCIENCE, Vol. 279, 548-552 (January 1998)							
Date Examined:		Examiner:					